

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AMANA SOCIETY SERVICE COMPANY	DOCKET NO. WRU-00-53-201
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**ORDER GRANTING WAIVER**

(Issued September 8, 2000)

On July 20, 2000, Amana Society Service Company (Amana), an electric utility, filed with the Utilities Board (Board) a request for waiver of 199 IAC 25.2(3)"a," which requires utilities to conduct annual public information campaigns regarding the hazards of grain bins located near power lines. The rule provides that farmers, farm lenders, grain bin merchants, and city and county officials be advised of the hazards and standards for construction of grain bins near power lines. No objections to the waiver request were filed.

In support of its waiver request, Amana said the annual campaign does not provide any additional safety information that Amana is not already providing. Amana said there is only one farm in its electric service territory, owned by Amana Farms Inc., and that the owners of the farm would communicate with the utility prior to building any new grain bins. Amana also said there is only one bank in its territory, and that Amana Farms Inc. would not seek bank financing for a grain bin. Finally, Amana said there were no grain bin merchants in its territory, no county zoning

requirements, and that most existing bins have underground electric service. Amana said any new bins would receive underground service.

Primarily because of the tall elevators and augers used to load and unload grain bins and the length of probes used to sample grain stored in bins, there is a high risk of injury if grain bins are located too close to power lines. The National Electrical Safety Code (NESC) includes specific criteria requiring significant clearances for power lines near grain bins. The Board adopted these standards in 199 IAC 25.2(1). Paragraph 25.2(3)"a" requires information be provided annually to those associated with grain bins so that new bins will not be erected near existing power lines.

The electric service territory in question is unique because both the electric utility serving the area and the only farm located in the territory are divisions or subsidiaries of a single entity, the Amana Society. See Iowa Code § 303.41. Because of the direct communications between the farm and the utility, a new grain bin would not be erected without Amana's knowledge. The rule's purpose, to preclude construction of new grain bins in violation of NESC standards, is carried out in the Amana territory by means other than an annual letter. Sending the information letters required by 199 IAC 25.2(3)"a" would provide no additional protection and, therefore, the Board will grant the waiver.

**IT IS THEREFORE ORDERED:**

The request for waiver of 199 IAC 25.2(3)"a" filed by Amana Society Service Company on July 20, 2000, is granted.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.      /s/ Diane Munns  
Executive Secretary

Dated at Des Moines, Iowa, this 8<sup>th</sup> day of September, 2000.